

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P36724-P0	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2005/001967	International filing date (<i>day/month/year</i>) 09.02.2005	Priority date (<i>day/month/year</i>) 23.02.2004
International Patent Classification (IPC) or national classification and IPC H04N7/173 (2006.01) , H04N5/445/2006 (2006.01) , G06F3/14 (2006.01) , G09G5/0082006.01) , G09G5/		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>3</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input checked="" type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (sent to the International Bureau only) a total of _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-38 as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-13 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 received by this Authority on 19.07.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets Fig. 1-25 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☒ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☒ the claims, nos. 14-19
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1.	Statement		
	Novelty (N)	Claims <u>1-13</u>	YES
		Claims _____	NO
	Inventive step (IS)	Claims _____	YES
		Claims <u>1-13</u>	NO
	Industrial applicability (IA)	Claims <u>1-13</u>	YES
		Claims _____	NO
2.	Citations and explanations (Rule 70.7)		
	<p>Document 1: JP 2003-219372 A (Canon Inc.), 31 July 2003, all pages; all drawings</p> <p>Document 2: JP 2003-101900 A (Canon Inc.), 4 April 2003, all pages; all drawings</p> <p>Document 3: JP 7-73287 A (NEC Corporation), 17 March 1995, all pages; all drawings</p> <p><u>Claims 1 to 13</u></p> <p>Document 1 cited in the international search report sets forth a feature wherein, by executing a program, graphic images, video images and still images stored in individual memory are superimposed upon one another (see paragraphs [0029] to [0042] in particular).</p> <p>In particular, document 1 (paragraph [0035]) indicates that data converted into image data such as text or drawings via a "graphic generating unit", in other words a "graphic image", is transmitted to a "character figure plane" or a "still image plane", therefore it would be within the normal creative skill of a person skilled in the art to superimpose different graphic images stored in a plurality of memories in the invention set forth in document 1.</p> <p>In addition, document 2 cited in the international</p>		

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

search report sets forth a feature wherein an application program for superimposing graphics, text, drawings, images and the like is downloaded, and it would be easy for a person skilled in the art to conceive of obtaining the program set forth in document 1 by downloading as set forth in document 2.

In addition, document 3 cited in the international search report sets forth a feature wherein in order to superimpose images stored in separately provided storing means, the sequence of superimposition is stored, and images are superimposed based on said sequence. It would be easy for a person skilled in the art to employ the feature set forth in document 3, wherein synthesis display is carried out based on a sequence of superimposition, when synthesizing and displaying graphic images, video images and still images as set forth in document 1.

Therefore the invention set forth in claims 1, 12 and 13 does not involve an inventive step in the light of documents 1 to 3. Similarly, the invention set forth in claims 2 to 11 does not involve an inventive step in the light of documents 1 to 3.

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

(Continuation of Box I.4)

As set forth in claim 14, "at least one of a plurality of graphic images stored in different graphic image storing means" is made to serve as a "graphic image whose position of depiction changes over time", and the feature of superimposing "different graphic images" containing "graphic images whose position of depiction changes over time" is not specifically disclosed as an embodiment in the description at the time of filing.

As a consequence, the amendment which adds claim 14 causes the subject matter of the application to be extended beyond the content of the application as filed.

Similarly, the amendment which add claims 15 to 19 contains the invention set forth in claim 14, and causes the subject matter of the application to be extended beyond the content of the application as filed.